

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: September 6, 2000

SUBJECT/TITLE: Approval of Interlocal Agreement on Local Government
Infrastructure Sales Tax and Adoption of Resolution # 00-R-0040

TARGET ISSUE: Community Planning; Five Year Financial Plan

STATEMENT OF ISSUE

The City and County Commissions convened for a joint workshop on July 10, 2000 to consider outstanding issues associated with proceeding with a November 2000 sales tax extension referendum to fund Blueprint 2000 projects and other complimentary projects previously approved by each of the commissions. The commissions ratified the Blueprint 2000, City and County project lists, accepted recommendations for funding responsibility for the Gaines Street reconstruction project, and approved referendum ballot language. At this time the commissions also directed staff to establish a citizen advisory committee, with membership as proposed by the Economic and Environmental Consensus Committee (EECC), to work with the joint project management team for the Blueprint 2000 projects and to bring back the proposed joint project management structure for approval.

City and County staff have worked closely over the past few weeks to develop a joint management approach that would address the concerns of all parties involved, as well as support the objectives of the Blueprint 2000 report and be responsive to the findings of the recent TaxWatch study. This agenda item presents the proposed interlocal agreement between the City and County for joint project management of Blueprint 2000 projects to be funded by the extension of the sales tax. City resolution # 00-R-0040 is also presented for adoption, describing the projects approved by the City Commission on July 10 to be funded by the City's 10% share of the sales tax funds.

On Tuesday, August 29, the County Commission approved the project management structure as presented and the interlocal agreement, and directed staff to forward the interlocal agreement to the City Commission. The Board also discussed concerns expressed by the EECC, which City staff have itemized and included as Attachment 4 to this agenda item, along with a staff recommendation. Revisions to the interlocal agreement as approved by the County Commission, in accordance with the changes indicated on Attachment 4, will be provided under separate cover.

RECOMMENDED ACTION

Approve Options 1 and 2:

- (1) Approve interlocal agreement.
- (2) Adopt Resolution # 00-R-0040 describing the City's approved sales tax project list.

FISCAL IMPACT

Fiscal impact is estimated to be \$543 million (present value) in sales tax revenues generated over 15 years to fund approved Blueprint 2000, City and County projects.

Michael Wright
Assistant City Manager

Anita R. Favors
City Manager

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ITEM TITLE: APPROVAL OF INTERLOCAL AGREEMENT ON SALES TAX AND RESOLUTION # 00-R-0040**SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS****HISTORY/FACTS & ISSUES**

The City and County Commissions convened for a joint workshop on July 10, 2000 to consider outstanding issues associated with proceeding with a November 2000 sales tax extension referendum to fund Blueprint 2000 projects and other complimentary projects previously approved by each of the commissions. The commissions ratified the Blueprint 2000, City and County project lists, accepted funding responsibility recommendations for the Gaines Street reconstruction project, and approved referendum ballot language. At this time the commissions also directed staff to establish a citizen advisory committee, with membership as proposed by the Economic and Environmental Consensus Committee (EECC), to work with the joint project management team for the Blueprint 2000 projects and to bring back the proposed joint project management structure for approval.

City and County staff have reviewed a number of joint project management options and are proposing the structure described herein for implementation of the Blueprint 2000 projects. This model addresses concerns expressed at the July 10th joint meeting regarding the MPO's role in this process and ensures that the Planning Department is a key participant, along with Public Works, Stormwater, and Executive management staff. The project management structure provides a framework for establishing the Blueprint 2000 Governing Body (Intergovernmental Agency), Citizens Advisory Committee, Intergovernmental Management Committee, and Blueprint 2000 Technical Coordinating Committee. A general description of this structure follows.

**Project Management Structure
for Blueprint 2000 Projects**

Blueprint 2000 Intergovernmental Agency

The City and County will create a Blueprint 2000 Intergovernmental Agency to govern the project management structure for the project planning and construction of the Blueprint 2000 projects. The City Commission and Board of County Commissioners shall constitute the governing body.

- Responsibilities of Blueprint 2000 Intergovernmental Agency:
 - Meet at least annually to consider an annual work plan and past year's performance report
 - Convene as needed to consider major program changes, contracts, change orders and purchase orders which exceed the Intergovernmental Management Committee's authority

Intergovernmental Management Committee

An Intergovernmental Management Committee shall be established to jointly administer this program and make recommendations on policy to the Blueprint 2000 Intergovernmental Agency and carry out the long range direction of the Blueprint 2000 Intergovernmental Agency. The Committee shall meet at least quarterly and shall consist of the City Manager and County Administrator.

- Responsibilities of the Intergovernmental Management Committee:
 - Monitor the operations of the program
 - Recommend approval of operating budget
 - Recommend approval of long and short term work plans
 - Recommend issuance of RFP's and consider all purchasing, contracts, and change orders up to 20% of the costs of the project

Staffing

A Staff Director shall be approved by both the City Manager and County Administrator and may be terminated by either the City Manager or County Administrator. The City Manager and County Administrator shall jointly evaluate the performance of the Staff Director at least annually. The Staff director will develop policies and procedures for the program which shall be reviewed and approved by the City Manager and County Administrator.

- Responsibilities of the Staff Director:
 - Manage a multi-disciplinary staff and be responsible for carrying out the implementation of the Blueprint 2000 projects (The Staff Director and employees will have the option of being City or County employees)
 - Coordinate with the Blueprint 2000 Technical Coordinating Committee and submit a long range implementation plan, a five year plan, and an annual work plan to the Intergovernmental Management Committee
 - Prepare a public information plan and sustain effective relationships with stakeholders and affected parties to projects

Blueprint 2000 Technical Coordinating Committee

An intergovernmental coordinating committee shall be established to provide professional advice and technical expertise to the staff director on a project basis. The Blueprint 2000 Technical Coordinating Committee shall meet monthly and consist of an Assistant City Manager, the Assistant to the County Administrator, the Planning Director, the City Transportation Engineering Director, the County

Transportation Engineering Director, the City Stormwater Director, and the County Chief of Stormwater Engineering. Other staff may be added on a project basis.

- Responsibilities of the Blueprint 2000 Technical Coordinating Committee:
 - Work with Staff Director to ensure coordination with other ongoing and future projects and related issues
 - Review Blueprint 2000 project scope and implementation plans and make recommendations to Staff Director
 - Annually review other City and County projects to ensure coordination between governments

Planning Department

The Planning Director shall serve as a member of the Blueprint 2000 Technical Coordinating Committee. In addition, the Planning Department shall assist in conducting, coordinating and advising on land use planning, sector planning, greenway planning, and transportation planning, as well as serve as liaison with MPO planning.

Citizen Advisory Committee

A Citizen Advisory Committee shall be established to serve in an advisory capacity to the Blueprint 2000 Intergovernmental Agency. The committee shall consist of seven members serving three year staggered terms. Four members shall be selected by the Blueprint 2000 Intergovernmental Agency from a list of three names for each position provided by the Economic and Environmental Consensus Committee (EECC) and shall include: one EECC member, one financial expert with bonding experience, one natural scientist/biologist, and one planner. The remaining three members shall be selected as follows: Chairman of the Economic Development Council shall serve as one of the three members, and two citizens to be nominated and approved by the Blueprint 2000 Intergovernmental Agency.

- Responsibilities of the Citizen Advisory Committee:
 - Review work plans and financial audits and make recommendations to the Blueprint 2000 Intergovernmental Agency

Interlocal Agreement

The interlocal agreement (Attachment 1) provides a basic structure for the establishment of, and recommends membership and responsibilities for, the Governing Body (Intergovernmental Agency), Citizens Advisory Committee, Intergovernmental Management Committee, and Blueprint 2000 Technical Coordinating Committee as described above. The agreement also provides for an annual financial audit, process for distribution of sales tax revenues, and permissible categories for projects to be funded by the sales tax, and references the applicable City and County resolutions which delineate projects that will be funded by each government's ten percent of the sales tax revenues. The approved Blueprint 2000 project list is also incorporated into the interlocal agreement.

Resolution

Included in this package is Resolution # 00-R-0040 identifying projects approved by the City Commission on July 10, 2000, for which the City's 10% share of sales tax revenues will be used. (See Attachment 2)

Ordinance

On Tuesday, August 30, the County Commission introduced an ordinance providing for a referendum on the local option sales tax on November 7, 2000 (see Attachment 3). Public hearing on the ordinance has been scheduled for September 12, 2000.

OPTIONS

1. Approve interlocal agreement.
2. Adopt resolution #00-R-0040 describing the City's approved sales tax project list.
3. Provide alternate direction to staff.

RECOMMENDATIONS

Approve Options 1 and 2

ATTACHMENTS/REFERENCES

Attachment 1: Interlocal Agreement

Attachment 2: City Resolution # 00-R-0040

Attachment 3: Ordinance authorizing referendum

Attachment 4: EECC issues and staff recommendations

EECC Recommendations relating to Interlocal Agreement and Ordinance

1. Revise approved ballot language to include Citizen’s Advisory Committee.

“...with all project spending subject to review by a citizen’s advisory committee and annual independent audit.”

Staff recommendation: Staff recommends that this language not be included based on legal concerns expressed by the County attorney.

2. Include the following title to the ballot language “Traffic relief, clean lakes, and drinking water for you”

Staff recommendation: Staff recommends that this language not be included based on legal concerns that expressed by the County attorney.

3. Add criteria defining the process by which Blueprint 2000 projects can be amended, deleted, or added by including the following language:

“The above listed projects can only be significantly amended, deleted, or added to if unforeseen conditions require such changes and if based upon the recommendations of the Citizens Advisory Committee, the Blueprint 2000 Technical Coordinating Committee, and a supermajority vote of the Blueprint 2000 Intergovernmental Agency. Such vote will not be taken until the Blueprint 2000 Intergovernmental Agency holds at least two noticed hearings.”

Staff recommendation: Staff has expressed concerns with the supermajority vote. The County Attorney is preparing a memorandum on this issue which will be provided under separate cover.

4. Add City and County Environmental Services Directors to Blueprint 2000 Technical Coordinating Committee.

Staff recommendation: The intent was to include the more specialized disciplines, such as environmental, real estate, land use planning, etc. on an as needed basis. However, staff is comfortable with expanding the initial committee membership to include environmental services representation.

5. Add the responsibility for the annual independent audit to the Intergovernmental Management Committee.

Staff recommendation: Staff concurs.

6. Rather than referencing the appropriate City and County resolutions (which identify approved governmental projects to be funded by the sales tax) in the interlocal agreement and ordinance, “spell out” the projects in each of these documents.

Staff recommendation: Staff concurs.

7. Add additional descriptive information to the list of Blueprint 2000 projects included in the interlocal agreement.

Staff recommendation: Staff concurs.

8. Add to the responsibilities of the Citizen Advisory Committee that this group will also review the “performance” audit.

Staff recommendation: Staff concurs.

9. Delete “economic development” from the recommended category of spending sales tax funds.

Staff recommendation: Staff had previously been advised by Legal to remove this language from the interlocal agreement, and this action is reflected in legislative format.